

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Cr. No. 02-10113-RGS

UNITED STATES OF AMERICA	)	VIOLETIONS:
)	
v.	)	21 U.S.C. § 846 -
	)	Conspiracy to Possess
1. DIOMEDES ANZIANI	)	Heroin with Intent
2. LUIS E. RODRIGUEZ	)	to Distribute
3. JOSE MIGUEL HICIANO AMARO)	
4. JOHNNY CIRIACO	)	21 U.S.C. § 841-
5. RAMON ANZIANI	)	Possession of Heroin with
6. PEDRO MARTINEZ	)	Intent to Distribute and
7. ANGEL MATOS	)	Distribution of Heroin
8. ELISON ANZIANI)	
9. RAFAEL CORTIJO	)	21 U.S.C. § 843(b) -
10. ARCHIE DESROSIERS	)	Use of Communication Facility
11. ROBERT DAVIS	)	in Furtherance of a
12. RYAN CASSAVECHIA	)	Controlled Substances Offense
13. CHRISTY WANAGER)	
14. CHRISTOPHER JOHNSON)	
15. ALANDA DOWNS	)	18 U.S.C. § 2-Aiding and
16. MICHAEL BODGE	)	Abetting
17. FRANK MCQUADE)	
18. SHANNAH VIGUE)	
19. MATTHEW STONE)	
20. MELANIO ALMONTE)	
21. JONATHAN GARCIA)	
22. CRISTIAN GARCIA)	
23. JUAN A. HERNANDEZ ORTIZ)	
24. FNU LNU,)	
a/k/a "Frenergy,")	
a/k/a "Frank")	
25. DANIEL ORTIZ)	
26. FNU LNU,)	
a/k/a "Vitin")	
27. FNU LNU,)	
a/k/a "Pineo")	
a/k/a "Yoel Rodriguez")	
a/k/a "Osvaldo Guerrero")	
28. FNU LNU, a/k/a "Dario")	
a/k/a "Miguel Garcia")	
29. WILLIAM FELIZ,)	
a/k/a "William Felix")	

FOURTH SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 846 - Conspiracy to Possess Heroin
With Intent to Distribute and to Distribute
Heroin)

The Grand Jury charges that:

From a date unknown to the United States, but from at least
May 16, 2001, and continuing thereafter until on or about April
2, 2002, in the District of Massachusetts,

4. JOHNNY CIRIACO,
5. RAMON ANZIANI,
7. ANGEL MATOS,

defendants herein, did knowingly and intentionally combine,
conspire, confederate and agree with each other and with other
persons known and unknown to the Grand Jury to possess with
intent to distribute, and to distribute, heroin, a Schedule I
controlled substance, in violation of Title 21, United States
Code, Section 841(a)(1).

The Grand Jury further charges that the conspiracy charged
in Count One involved 100 grams or more of a mixture or substance
containing a detectable amount of heroin, a Schedule I controlled
substance. Accordingly, Title 21, United States Code, Section
841(b)(1)(B)(i) applies to this Count.

All in violation of Title 21, United States Code, Section
846.

COUNT TWO: (21 U.S.C. § 846 - Conspiracy to Possess Heroin
With Intent to Distribute and to Distribute
Heroin)

The Grand Jury further charges that:

From a date unknown to the United States, but from at least
December 19, 2001, and continuing thereafter until on or about
March 22, 2002, in the District of Massachusetts,

4. JOHNNY CIRIACO,
21. JONATHAN GARCIA,
24. FNU LNU,
a/k/a "Frenergy,"
a/k/a "Frank,"
27. FNU LNU,
a/k/a "Pineo,"
a/k/a "Yoel Rodriguez"
a/k/a "Osvaldo Guerrero"
29. WILLIAM FELIZ,
a/k/a "William Felix,"

defendants herein, did knowingly and intentionally combine,
conspire, confederate and agree with other persons known and
unknown to the United States to possess with intent to
distribute, and to distribute, heroin, a Schedule I controlled
substance, in violation of Title 21, United States Code, Section
841(a)(1).

The Grand Jury further charges that the conspiracy charged
in Count Two involved 100 grams or more of a mixture or substance
containing a detectable amount of heroin, a Schedule I controlled
substance. Accordingly, Title 21, United States Code, Section
841(b)(1)(B)(i) applies to this Count.

All in violation of Title 21, United States Code, Section
846.

NOTICE OF ADDITIONAL FACTORS

The Grand Jury further finds that:

1. The defendant RAMON ANZIANI is accountable for at least 1 kilogram, but not more than 3 kilograms, of heroin.

Accordingly, 21 U.S.C. § 841(b)(1)(B) and USSG §2D1.1(c)(4) apply.

2. The defendant RAMON ANZIANI was an manager or supervisor of a criminal activity that involved five or more participants or was otherwise extensive. Accordingly, USSG §3B1.1(b) applies to this defendant.

3. The defendant FNU LNU, a/k/a PINEO, a/k/a YOEL RODRIGUEZ, a/k/a OSVALDO GUERRERO is accountable for at least 100 grams, but not more than 400 grams, of heroin. Accordingly, 21 U.S.C. § 841(b)(1)(B) and USSG §2D1.1(c)(7) apply.

4. The defendant WILLIAM FELIZ, a/k/a WILLIAM FELIX is accountable for at least 700 grams, but no more than 1 kilogram of heroin. Accordingly, USSG §2D1.1(c)(5) applies.

A TRUE BILL



FOREPERSON OF THE GRAND JURY


RACHEL E. HERSHFANG
JOHN A. WORTMANN, Jr.
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS

September 16, 2004.

Returned into the District Court by the Grand Jurors and filed.


Deputy Clerk
11:44A

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Methuen Category No. I Investigating Agency DEACity METHUEN**Related Case Information:**County ESSEXSuperseding Ind./ Inf. X Case No. 02-10113-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
Search Warrant Case Number 02-1621-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name JOHNNY CIRIACO Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☐ No ☒☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**


Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2 _____

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant JOHNNY CIRIACO**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>1, 3</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Methuen Category No. I Investigating Agency DEACity METHUEN**Related Case Information:**County ESSEXSuperseding Ind./ Inf. X Case No. 02-10113-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
Search Warrant Case Number 02-1621-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name RAMON ANZIANI Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: Melvin Norris Address _____


Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☐ No ☒Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date 4/2/02☒ Already in Federal Custody as of 4/2/02 in D.Ma.☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant RAMON ANZIANI

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

JS-45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Methuen Category No. I Investigating Agency DEACity METHUEN**Related Case Information:**County ESSEXSuperseding Ind./ Inf. X Case No. 02-10113-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
Search Warrant Case Number 02-1621-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name ANGEL MATOS Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationality _____

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☒ No☒ Warrant Requested ☐ Regular Process In Custody**Location Status:**

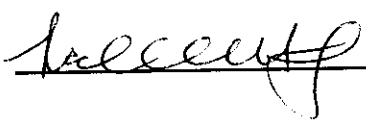
Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant ANGEL MATOS

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Methuen Category No. I Investigating Agency DEACity METHUEN**Related Case Information:**County ESSEXSuperseding Ind./ Inf. X Case No. 02-10113-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
Search Warrant Case Number 02-1621-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name JONATHAN GARCIA Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____

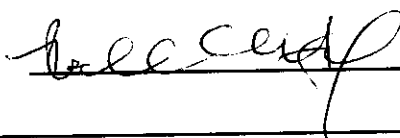
Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☒ No☒ Warrant Requested ☐ Regular Process In Custody**Location Status:**

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2 _____

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: _____ Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant JONATHAN GARCIA

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>1, 3</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Methuen Category No. I Investigating Agency DEACity METHUEN**Related Case Information:**County ESSEXSuperseding Ind./ Inf. X Case No. 02-10113-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
Search Warrant Case Number 02-1621-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name FNU MNU LNU Juvenile: ☐ Yes ☒ NoAlias Name "FRENERY" "FRANK"

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____


Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☐ No ☒☒ Warrant Requested ☐ Regular Process In Custody**Location Status:**

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: _____ Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant FNU LNU, a/k/a "FRENERY," a/k/a "FRANK"

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>3</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Lowell Category No. I Investigating Agency DEACity Lowell, Lawrence**Related Case Information:**County Middlesex, EssexSuperseding Ind./ Inf. X Case No. 02-10113-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number 02-1619,-1643-1748-CBS
Search Warrant Case Number 02-1621-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name William Felix Juvenile: ☐ Yes ☒ NoAlias Name William Feliz

Address _____

Birthdate: _____ SS # _____ Sex: M Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang, 748-3249 Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested☐ Regular Process☒ In Custody**Location Status:**Arrest Date January 14, 2003☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by: MJ, EDNY on Jan. 15, 2003Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: _____ Signature of AUSA: Rachel E. Hershfang

3JS 45 (5/97) (Revised U.S.D.C. MA 2/7/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant _____

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	21 U.S.C. 846	Conspiracy to possess with intent to distrib. heroin	3
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Methuen Category No. I Investigating Agency DEACity METHUEN**Related Case Information:**County ESSEXSuperseding Ind./ Inf. X Case No. 02-10113-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number 02-1619-CBS; 01-00042, 50
Search Warrant Case Number 02-1621-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name FNU MNU LNU Juvenile: ☐ Yes ☒ NoAlias Name "PINEO" "YOEL RODRIGUEZ" "OSVALDO GUERRERO"

Address _____

Birthdate: _____ SS # _____ Sex: _____ Race: _____ Nationalit _____

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Rachel E. Hershfang Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☒ NoWarrant Requested ☐ Regular Process ☒ In Custody**Location Status:**

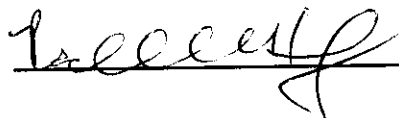
Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1 _____

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____

Signature of AUSA: 

JS 45 (5/97) (Revised U.S.D.C. MA 2/7/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant FNU LNU, a/k/a "PINEO" a/k/a "YOEL RODRIGUEZ" a/k/a "OSVALDO GUERRERO"

U.S.C. Citations

Description of Offense ChargedCount Numbers

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. §846</u>	<u>Conspiracy Possess/Dist. Heroin</u>	<u>3</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION: _____